

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: JULY 12, 2006**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: VAC-13136 - APPLICANT: LOCHSA ENGINEERING -  
OWNER: NEVSUR, INC.**

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**\*\* CONDITIONS \*\***

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

1. The limits of this Petition of Vacation shall be the eastern 15 feet of Buffalo Drive, south of Smoke Ranch Road, including the spandrel area, adjacent to Assessor Parcel Number #138-22-101-001.
2. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study.
3. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
4. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
5. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
6. All development shall be in conformance with code requirements and design standards of all City Departments.
7. If the Order of Vacation is not recorded within one (1) year after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

**\*\* STAFF REPORT \*\***

**APPLICATION REQUEST**

This application is a Petition to Vacate a 15-foot public right of way at the southeast corner of Smoke Ranch Road and Buffalo Drive.

**EXECUTIVE SUMMARY**

The vacation of 15 foot long public right-of-way on this site will enable the owner to develop a 15,300 square foot retail commercial building as part of the approved Site Development Plan Review (SDR-2458) and Rezoning (ZON-2457). The proposed commercial building is contingent upon approval of this Vacation in order to place the proposed building on the site. The request is appropriate, as the subject right-of-way is not needed in its current configuration.

**BACKGROUND INFORMATION**

***A) Related Actions***

- 10/03/84      The City Council approved a petition (A-0015-84) to annex 985 acres of land, including the subject parcels. The effective date was 10/12/84.
- 05/05/04      The City Council approved a Rezoning (ZON-2457) from U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) on the subject site. The Resolution of Intent was set to expire 5/5/06; however since building permits have been activated, the C-1 zone continues.
- 05/05/04      The City Council approved a Site Development Plan Review (SDR-2458) for two proposed 15,300 square foot commercial retail buildings on 3.88 acres adjacent to the northeast and southeast corners of Smoke Ranch Road and Buffalo Drive.
- 06/08/06      The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #5/ejb).

***B) Pre-Application Meeting***

A pre-application meeting is not required for Vacation applications, nor was one held.

***C) Neighborhood Meetings***

A neighborhood meeting is not required as part of this application request, nor was one held.

## **DETAILS OF APPLICATION REQUEST**

The property is legally described as the western fifteen feet (15') of property located at the southeast corner of Smoke Ranch Road and Buffalo Drive, including the spandrel area; said property being a portion of the northwest quarter (NW1/4) of the north half (N1/2) of the northwest quarter (NW1/4) of Section 22, Township 20 South, Range 60 East, M.D.M.

## **ANALYSIS**

### ***A) Planning discussion***

The subject request is to vacate a 15-foot public right-of-way at the southeast corner of Buffalo Drive and Smoke Ranch Road. This request is part of an approved Site Development Plan Review (SDR-2458) for a 15,300 square foot retail commercial building on the site. The request is appropriate, as the subject piece of public right-of-way is not needed in its current configuration. Therefore, staff has no concerns with the Vacation request and supports the request.

### ***B) Public Works discussion***

The Department of Public Works has no comments related to this request to vacate public right-of-way.

The following information is presented concerning this request to vacate certain public street right of ways:

- A. Does this vacation request result in uniform or non-uniform right-of-way widths? *It will result in Uniform width as the request is to eliminate unnecessary right-of-way to correspond with existing limits.*
- B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No.*
- C. Does it appear that the vacation request involves only excess right-of-way? *Yes.*
- D. Does this vacation request coincide with development plans of the adjacent parcels? *Yes, APN #138-22-101-001 – ZON-2457 and SDR-2458.*
- E. Does this vacation request eliminate public street access to any abutting parcel? *No.*
- F. Does this vacation request result in a conflict with any existing City requirements? *No.*

G. Does the Department of Public Works have an objection to this vacation request?  
*No.*

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 8

**ASSEMBLY DISTRICT** N/A

**SENATE DISTRICT** N/A

**NOTICES MAILED** 6 by City Clerk

**APPROVALS** 0

**PROTESTS** 0